

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

State of Minnesota,

Criminal No. 24-148 (DWF)

Plaintiff,

v.

ORDER

Abdul-Jameer Shaik,

Defendant.

Defendant Abdul-Jameer Shaik has filed a notice of removal seeking to relocate an ongoing criminal prosecution against him in state court to this venue. “The United States district court in which such notice is filed shall examine the notice promptly. If it clearly appears on the face of the notice and any exhibits annexed thereto that removal should not be permitted, the court shall make an order for summary remand.” 28 U.S.C. § 1455(b)(4). Because it is clear from the notice of removal and accompanying documents that the Court lacks jurisdiction over the case, this matter will be summarily remanded.

None of the federal statutes that permit a criminal prosecution to be removed from state court to federal court apply in this case—Shaik does not allege, for example, that he was an agent of the United States or a member of the armed services of the United States acting under color of authority issuing from his status as such. *See* 28 U.S.C. § 1442; 28 U.S.C. § 1442a. Nor does Shaik plausibly allege that removal is necessary for the vindication of his federal constitutional rights. *See* 28 U.S.C. § 1443; *Minnesota v.*

Bugoni, No. 15-CR-0157 (SRN), 2015 WL 2451255, at *2-3 (D. Minn. May 21, 2015).

In any event, even if this case were one that could be removed from state court to federal court, Shaik would have waited too long to have filed his notice of removal. *See* 28 U.S.C. § 1455(b)(1).

Accordingly, this case is remanded to Minnesota state court pursuant to § 1455(b)(4).

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that this matter is **REMANDED** to Ramsey County District Court.

Dated: June 4, 2024

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge